

Practice Note 05-10

Land Title and Survey Authority of BC Land Title Division

Effective September 23, 2010

Arterial Highway, *Transportation Act* section 44.1

This Practice Note sets out requirements for the deposit in a Land Title Office of survey plans that dedicate land as an “arterial highway”.

The Province of British Columbia has brought into force amendments to the *Transportation Act* which enable arterial highways to be established through the deposit in a Land Title Office of a subdivision, reference or explanatory plan that shows land as an arterial highway. The new authority is set out in *Transportation Act* section 44.1:

Arterial highway created on deposit of plan

- 44.1** (1) The deposit in a land title office of a subdivision, reference or explanatory plan that shows land as an arterial highway operates to make that land an arterial highway if the land surveyor who signed the plan certifies on the plan, in the prescribed form, that he or she was authorized by the minister to show that land as an arterial highway.
- (2) After a plan referred to in subsection (1) is deposited in a land title office, the minister must publish, in the prescribed manner, notice of the deposit of the plan and of the creation of the arterial highway effected by that deposit.

All subdivision, reference and explanatory plans submitted for deposit in a Land Title Office which have been prepared for the purpose of dedicating and establishing roads as arterial highways must include the prescribed form of certificate confirming that the land surveyor who signed the plan was authorized by the Minister of Transportation and Infrastructure to show the land as an arterial highway.

The Association of British Columbia Land Surveyors (“Association”) has established an instruction rule for land surveyors to support implementation of *Transportation Act* section 44.1. The instruction rule prescribes the form of certificate that must be used on

plans dedicating arterial highway, and the labeling requirements for lands shown in plans as "arterial highway". All plans dedicating arterial highway submitted for deposit in a land title office must comply with the Association's instruction rule.

The labeling requirements prescribed in the Association's General Survey Instruction Rule 10-14 are as follows:

The words "Arterial Highway" must be placed upon the appropriate area of the plan when dedicating land for arterial highway as authorized by the Minister of Transportation and Infrastructure.

The form of certificate prescribed in the Association's General Survey Instruction Rule 10-15 is as follows:

Certificate under the *Transportation Act*

I _____ BCLS certify that I am authorized by the Minister of Transportation and Infrastructure under section 44.1 of the *Transportation Act* to show certain lands identified on this plan dedicated as Arterial Highway.

_____ BCLS _____ date

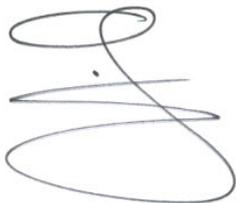
Hardcopy plans submitted for deposit in a Land Title Office must include the prescribed form of certificate on the plan.

For plans submitted in electronic form, select the "Arterial Highway" field in the electronic Survey Plan Certification form (version 7 and higher). The plan image must also include the following notation that the plan dedicates arterial highway in accordance with section 44.1 of the *Transportation Act*:

"This plan image dedicates arterial highway as authorized by the Minister of Transportation and Infrastructure."

The Surveyor Plan Certification form is located on the Electronic Form Templates page of www.ltsa.ca or [click here](#) to go directly to the page.

These requirements are in addition to all other legislated and practice requirements that apply to the particular subdivision, reference or explanatory plan.



Craig D. Johnston
Director of Land Titles